

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:02-CR-110-1-F

UNITED STATES OF AMERICA,

v.

REGINALD JONES,

Defendant.

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ORDER

By order of June 2, 2011, the court denied Reginald Jones's motion for an order directing the Bureau of Prisons to credit his federal sentence for time spent in state custody. *See* [DE-36]. The order advised Jones that because he was challenging the manner in which his sentence is being executed or administered, he must pursue relief through a habeas action under 28 U.S.C. § 2241. *See id.*


On June 6, 2011, Jones filed another motion seeking a modification of his sentence and release from state custody in Utah into federal custody. *See* [DE-37]. The court again denied Jones's motion, and again advised him that because he was challenging the manner in which his sentence is being executed or administered, he must pursue relief through a habeas action under 28 U.S.C. § 2241. *See* [DE-38].

Jones comes before this court again, and via a motion filed on October 7, 2011 [DE-43], argues that his federal sentence should be deemed to have begun on the date he was initially detained. Again, Jones is challenging the manner in which his sentence is being executed or administered. He therefore must pursue relief through a habeas action under 28 U.S.C. § 2241, which requires demonstration that the inmate has exhausted his administrative remedies and it must be filed in the federal district in which he is incarcerated. According to the return address on the envelope in which Jones mailed the latest motion, he is now incarcerated in Florida.

Accordingly, Jones's Motion under 3585 for Time Credit [DE-43] is DENIED without prejudice to file an appropriate § 2241 motion in the correct federal district court.

SO ORDERED.

This the 17th day of October, 2011.



JAMES C. FOX
Senior United States District Judge